

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

MEMO ENDORSED

October 4, 2022

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Michael Barreto*, 19 Cr. 909 (KPF)

Dear Judge Failla:

We write without objection from the Government to respectfully request a short adjournment of the change-of-plea hearing previously scheduled to take place this afternoon. The parties require additional time to finalize their discussions about a resolution in this matter.

We consent to the exclusion of time under the Speedy Trial Act from today through the next scheduled court date. Excluding time will serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial, because it will allow the parties to continue working towards a pretrial resolution of the matter.

Respectfully submitted,

/s/

Ariel Werner
Neil P. Kelly
Assistant Federal Defenders

cc: AUSA Kedar Bhatia
AUSA Brandon Harper

Application GRANTED. The change-of-plea hearing initially scheduled for October 4, 2022, is hereby ADJOURNED to **October 14, 2022, at 2:30 p.m.** It is further ORDERED that time is excluded under the Speedy Trial Act between October 5, 2022, and October 14, 2022. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will permit the parties to continue working toward a pre-trial disposition. The Clerk of Court is directed to terminate the pending motion at docket number 52.

Dated: October 5, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE